



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 11, 2008

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Map And Execution Of Agreements For 522 East Sola Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,765 for a subdivision at 522 East Sola Street, finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map (and other standard agreements relating to the approved subdivision), and authorize the City Engineer to record a removal document for the Land Development Agreement once the public improvements are complete.

DISCUSSION:

A Tentative Map for a subdivision located at 522 E. Sola Street (Attachment 1) was conditionally approved on November 10, 2005, by adoption of the Planning Commission's Conditions of Approval, Resolution No. 070-05 (Attachment 2). The project involves the conversion of an existing single-family residence and a new unit to two condominium units.

In accordance with the Planning Commission's approval, the Owner (Attachment 3) has signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2008-00094. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property and Agreement for Land Development Improvements*.

The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,765 by the Planning Commission Conditions of Approval, Resolution No. 070-05
 3. List of Owners

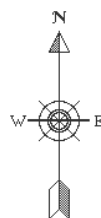
PREPARED BY: Mark Wilde, Supervising Civil Engineer/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map 522 East Sola



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH
PARCEL MAP NO. 20,765 BY THE PLANNING COMMISSION CONDITIONS OF
APPROVAL, RESOLUTION NO. 070-05.**

522 E. Sola Street

Said approval is subject to the following conditions:

Recorded Agreement. Prior to the issuance of any Public Works permit or building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner with the Parcel Map on an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property" which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director, which shall be recorded in the Office of the County Recorder:

- 1. Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
- 2. Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
- 3. Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
- 4. Allowed Development.** The development of the Real Property approved by the Planning Commission on November 10, 2005 is limited to two residential condominiums and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- 5. Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
 - b. Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which he garages were designed and permitted.

- c. Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
- d. Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- 6. Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be directed toward the ground.

ATTACHMENT 3

LIST OF OWNERS

522 E. Sola Street

Steven W. Gower